

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

COMMUNICATION MANAGEMENT
SERVICES, LLC, et al.,

3:12-cv-01923-BR

Plaintiffs,

ORDER

v.

BROOKS L. HARLOW, Attorney
at Law,

Defendant.

BROWN, Judge.

This matter comes before the Court on the parties' Joint Status Report (#91). Having fully considered the parties' respective positions set out in the Joint Status Report, the Court makes the following Order:

1. The Court **OVERRULES** Plaintiffs' objection to Defendant's requested discovery on the basis that this Court lacks subject-matter jurisdiction. The Court has already found a genuine dispute of material fact presently exists as to whether

Plaintiffs' claims are ripe, and, accordingly, the Court has directed the parties to proceed with discovery and rejected Plaintiffs' contentions to the contrary. See Opin. and Order (#63); Order (#75). The Court may deem any further refusal by Plaintiffs to provide discovery on this basis to be frivolous.

2. Issues related to waiver of attorney-client privilege must be raised in a formal discovery motion. Accordingly, consistent with the Court's previously-set case-management deadlines and after meaningful conferral, any party may raise the alleged waiver of attorney-client privilege in a formal discovery motion **no later than May 22, 2015**.

3. Because Plaintiffs have not identified any specific discovery requests that Plaintiffs contend are unduly burdensome, the Court **OVERRULES** Plaintiffs' objection on this basis.

IT IS SO ORDERED.

DATED this 23rd day of April, 2015.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge